



CITY of MEDINA
Board of Zoning Appeals
Regular Meeting Minutes
December 12, 2024

Meeting Date: December 12, 2024

Meeting Time: 7:00 PM

Present: Kyle Funk, Bert Humpal, Paul Roszak, Andrew Dutton (Community Development Director), and Sarah Tome (Administrative Assistant)

Absent: Mark Williams

Approval of Minutes

Mr. Humpal stated that, as only two of the Board members who attended the November 14, 2024 meeting were present, they would postpone approving the minutes for that meeting until January.

The Court Reporter swore in all attendees.

Applications

1. Z24-27 Rebekah Shrock 5192 Lake Road VAR

Mr. Dutton stated that the property contained a large industrial building, railyard, and associated parking and drives. He added that the applicant was proposing to construct a 2,880 sq. ft. storage building on the east side of the property.

Mr. Dutton stated that Section 1113.05(I)(2)(B.)(2.) of the Zoning Code required that accessory buildings must be located in the rear yard. He noted that, as the proposed accessory building was between the main building and the right-of-way, it was technically located in the front yard, even though it was behind a row of industrial buildings adjacent to Lake Road. He added that the proposed accessory building was approximately 260 ft. from the eastern property line and 900 ft. from the Lake Road right-of-way. Mr. Dutton stated that the applicant had indicated the following regarding the Standards for Variances and Appeals:

- The variance was not substantial as the accessory building was relatively small in comparison to the large property.
- The essential character of the neighborhood would not be altered as the building would be behind existing industrial uses on Lake Road.
- The predicament could not be obviated through another method as locating the building on the east side of the property was necessary due to the presence of power lines, railroad tracks, and a retention pond on the site.

Present for the case was George Hill, Maintenance/Safety Manager for Ravago, 5192 Lake Road. Mr. Hill stated that different areas on the property were considered for the building. However, he noted that the proposed site was determined to be the best location and already contained a concrete pad.

Mr. Humpal opened the public hearing. There were no questions or comments from the public.

Mr. Roszak asked what the proposed building would be used for. Mr. Hill stated that outside equipment that was currently stored in the main building would be relocated to the new building. He added that they were looking for a different, covered location for the storage of said equipment.

Mr. Funk asked if there was a structure located next to the proposed location. Mr. Hill stated that an existing transformer was located next to the proposed building site. Mr. Humpal asked if Ohio Edison had any issues with the accessory building being located next to the transformer. Mr. Hill stated that there were no objections from Ohio Edison.

Mr. Roszak made a motion to approve the variance to Section 1113.05(I)(2)(B.)(2.), stating that the essential character of the neighborhood would not be substantially altered. Additionally, he stated that adjoining properties would not suffer substantial detriment and that the variance would not adversely affect the delivery of government services.

Mr. Funk seconded the motion.

Vote:

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|----------|------------|--------|----------|
| Funk | <u>Y</u> | Humpal | <u>Y</u> |
| Rozsak | <u>Y</u> | | |
| Approved | <u>3-0</u> | | |

2. Z24-26 Aaron Luther 253 Ryeland Circle VAR

Mr. Dutton noted that this case was a continuation from the last meeting. He stated that an approximately 42 sq. ft. shed had been installed to the southeast of the home within a fenced area, approximately 18 ft. from the Meadow Gateway right-of-way. Mr. Dutton stated that the variance was necessary to Section 1113.05(I)(2)(A.)(2.), as a corner lot had two front yards. He noted that the subject corner lot had front yards adjacent to Ryeland Circle and Meadow Gateway. He noted that sheds were required to be in the rear yard. Mr. Dutton stated that the applicant had indicated the following regarding the Standards for Variances and Appeals:

- The variance was not substantial and the essential character of the neighborhood would not be altered as the style of the shed would blend in with the home.
- The applicant was unaware of the restrictions and believed the shed to be in the backyard.
- The predicament cannot not be obviated through another method as the location was the only flat portion of the yard.

Present for the case was Aaron Luther, 253 Ryeland Circle. Mr. Luther reiterated that his opinion was that the shed did not jeopardize the aesthetical integrity of the neighborhood. He noted that the shed had been in that location for three years and did not pose an obstruction to traffic or visibility. He added that, while he understood that the shed was technically located in the front yard, he saw no issues with its placement. Mr. Luther also noted that none of his neighbors had voiced any objection to the location of the shed.

Mr. Humpal opened the public hearing. There were no questions or comments from the public.

Mr. Humpal stated that the case had ended a month ago with a discussion as to the addition of evergreen trees on the outside of the fence. He noted that the Board did not have any discussion between meetings as to cases that came before them.

Mr. Funk asked how long the shed had been in its current location. Mr. Luther stated it had been there since April of 2021. Mr. Funk inquired if it was built on a preexisting platform. Mr. Luther stated that it was not. There was a discussion as to the foundation beneath the shed.

Mr. Roszak stated that his position had not changed since the previous month and that he was willing to compromise with the inclusion of vegetation.

Mr. Funk asked Mr. Dutton if the Board had considered any similar cases in the past. Mr. Dutton stated that there had not been a similar case in the three years he had been the Planning Director.

Mr. Humpal stated that the shed had been there for three years, but that the City's Zoning Inspector had recently recognized the issue with its placement and lack of permitting.

Mr. Humpal asked the applicant if he had done any research as to the cost of placing trees on the property as suggested by Mr. Roszak. Mr. Luther stated that he had not. He stated that he had surveyed the area of the yard. He noted that it would be difficult to dig at the current time. Mr. Luther stated that he recognized the Board's efforts to compromise with him; however, he requested the Board to use their discretion to grant the variance.

Mr. Humpal noted that the Board appeared to be split on their feelings on the variance. He added that, with only three of the five members being in attendance, it was unlikely for a motion approving the variance to pass.

Mr. Luther requested to table to application until the full Board could be present for the review. The Board accepted the applicant's tabling of the case.

Mr. Humpal suggested that the applicant look into the cost associated with planting the proposed evergreens. There was a discussion as to the sizing and placement of the evergreens proposed by the Board. There was also a discussion as to how far the shed would need to be moved to comply with the Zoning Code. After further discussions, the applicant reiterated his tabling of the application until a later date.

Adjournment

Having no further business, the meeting was adjourned.

Respectfully submitted,

Sarah Tome

Bert Humpal, Chairman